

**Enrolled Minutes of the Sixty-Eighth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Meeting
Monday, August 13, 2018**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, August 13, 2018 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to work. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.
2. The Town Council and Clerk-Treasurer discussed an request from the AIM Medical Trust, to explore a move to take the two line of duty death survivors who are entitled to the same group coverage as we offer the workforce for life, about a prospective plan in which the Town would provide for premiums for Medicare A B and D in an effort to share liability with Medicare rather than solely on the AIM Insurance Corpus. It was noted that any plan should leave both no worse off, perhaps with lower out of pocket for the year and making clear that such a change would be fully voluntary. There was no objection stated to explore the matter with the survivors.
3. The Town Council discussed with the Public Works Director the status of the Sidewalk Inspection Program. It was noted that the program was challenged in that when letters of remediation or correction regarding an inspected sidewalk are mailed to contiguous property owners, in many cases the letters are ignored. The Public Works Director appealed to the Town Council to consider adding an enforcement mechanism, provided in IC 36-9-17 et seq., which is the General Improvement Law.

The study session ended at 7:05 O'clock p.m.

Regular meeting. The Twenty Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, August 13, 2018 at 7:06 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Mark A. Herak presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Jared Tauber, Esq., Tauber Law Offices; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Kathy DeGuilio-Fox, Redevelopment Director; David Byers, Recreation Director; and Kenneth J. Mika, Building Commissioner, were present.

Also present: Larry Moes and James Slagle, Town Board of Metropolitan Police Commissioners; Larry Kondrat, Board of Waterworks Directors; and Ed Dabrowski, IT Director (Contract) were also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 23 July 2018 were approved by general consent.

With leave from the Town Council, The Town Council President wished the Clerk-Treasurer a belated happy birthday and wished Councilor Vassar a happy birthday as well. He further wished the Town Attorney well with a health related matter.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **Glenn P. DuRocher**. Police Officer Candidate DuRocher was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 12 July 2018, with the appointment to be effective 29 July 2018, but not earlier than Indiana Pension Retirement System INPRS approval.
 - (a) *Action by Town Council determining that the named Candidate Meets the Qualifications for such position, as Determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council, pursuant to IC 36-8-9-4(a).* Councilor Vassar moved that the Town Council now approve that the candidate meets the qualifications for the position of police officer, noting that such qualifications are determined by the Town Board of Metropolitan Police Commissioners. Councilor Kuiper seconded. Upon a roll call vote, there four affirmatives and no negatives. The motion passed. The candidate's qualifications as determined by the Town Board of Metropolitan Police Commissioners was approved.
 - (b) *Administration of Oath for Candidate DuRocher.* The Town Clerk-Treasurer administered the oath of office. Police Officer DuRocher swore the required oath.
 - (c) *Presentation of Badge by Metropolitan Police Commission Chair and/or the Metropolitan Police Chief.* The Metropolitan Police Chief and the Chair of the Town Board of Metropolitan Police Commissioners presented Officer DuRocher his badge.
2. **Consideration of Proposed Additional Appropriations:** *(non-controlled funds)* Proposed Additional Appropriations in Excess of the 2018 Budget for the *Municipal Cumulative Street Fund* in the amount of \$25,000.00.
 - (a) *Attorney verification of Proofs of Publication:* The TIMES 26 July 2018. Mr. Tauber indicated that the proof of publication complied with IC 5-3-1.
 - (b) **Public Hearing.** The Town Council President called the hearing to order. There were no comments or remonstrances. The hearing was closed.
 - (c) Action on **Appropriation Enactment No. 2018-33:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the for the Municipal Cumulative Street Fund in the amount of \$25,000.00, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Zemen introduced and moved the consideration of Enactment No. 2018-33 at the first meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Zemen moved the passage and adoption of Enactment No. 2018-33 at the first meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2018-33**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the MUNICIPAL CUMULATIVE STREET FUND ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Municipal Cumulative Street Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND		
Acct. No. 088-0000-44010 Sidewalk Program		\$ 25,000.00
	<i>Total Series:</i>	\$ 25,000.00
	Fund Total:	\$ 25,000.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 13th Day of August 2018. Consideration on the same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 13th Day of August 2018, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

Staff Reports: The following staff reports were received and filed.

• Building & Inspection Report for July 2018

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$3,149,429.00	\$39,977.00
Signs:	6	0	6	\$27,671.00	\$2,010.00
Single Family:	1	1	0	\$275,200.00	\$3,710.50
Duplex/Condo:	0	0	0	\$0.00	\$0.00

Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	77	77	0	\$603,538.00	\$12,356.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	1	1	0	\$550.00	\$82.00
Decks & Porches:	10	10	0	\$23,102.00	\$1,674.00
Fences:	22	22	0	\$77,117.00	\$2,616.50
Swimming Pools:	5	5	0	\$0.00	\$410.00
DrainTile/ Waterproofing:	2	2	0	\$9,720.00	\$264.00
Miscellaneous	0	0	0	\$0.00	\$0.00
TOTAL:	129	118	11	\$4,166,327.00	\$63,100.50
Electrical Permits	32	28	4	\$0.00	\$3,459.00
Mechanical Permits	17	13	4		\$1,618.00
Plumbing Permits	14	11	3		\$2,116.50
Water Meters	3	3	0		\$690.00
Water Taps	1	1	0		\$200.00
Sewer/Storm Taps	2	2	0		\$300.00
TOTAL Plumbing:	20	17	3		\$3,606.50

July Code Enforcement:

Investigations: 72
Citations: 19
Warnings: 72

July Inspections & Exams:

Building: 44 Electrical: 26 Plumbing: 16 HVAC: 07
Electrical Exams: 02

• Fire Department Report for July

<u>Type of Call</u>	<u>Month</u>	<u>2nd half of year</u>
General Alarms	13	13
Paid Still Alarms	37	37*
Still Alarms	10	10
Total Alarms:	60	60

* For paid still alarms, responses or participation by the fire fighters, a stipend in lieu of direct compensation, shall be paid to the Highland Volunteer Fire Fighter Association in the amount of \$50 each. (Pursuant to Wage and Salary Ordinance, Section 12(G).)

• Workplace Safety Report for July

There were two workplace incidents to report in July. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	1	3	0	0	0	0	0
Fire	0	0	0	0	0	0	0

Police	0	3	6	0	0	0	365
Street	1	1	0	0	0	0	0
Water & Sewer	0	2	2	70	5	0	0
Maint.	0	1	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	2	10	10	70	5	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

• **Workplace Safety Report for June (Revised)**

There were two workplace incidents to report in June. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	1	2	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	1	3	6	0	0	0	365
Street	0	0	0	0	0	0	0
Water & Sewer	0	2	2	44	0	0	0
Maint.	0	1	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	2	8	10	44	0	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

• **Workplace Safety Report for May (Revised)**

There were two workplace incidents to report in May. The following report was filed.

Department	Injuries this Month	Year to Date 2018	Total in 2017	Restricted Days 2018	Lost Workdays This Year (2018)	Restricted Days Last Year (2017)	Lost Workdays Last Year (2017)
Parks	0	1	0	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	1	2	6	0	0	0	365
Street	0	0	0	0	0	0	0
Water & Sewer	1	2	2	14	0	0	0
Maint.	0	1	2	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	2	6	10	14	0	0	365

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

1. **Introduced Ordinance No. 1683:** An Ordinance To Still Further Amend Chapter 2.50 of the Highland Municipal Code Regarding the Public Records Management, and Establish a Special Purpose Fund, All Pursuant To I.C. 36-1-5 and I.C. 5-14-3 Et Seq. *(At its meeting of July 23, 2018, Councilor Zemen introduced and filed the ordinance. There was no further action. The Town Council further discussed and conducted mark-up on this ordinance at its Study Session conducted, Monday, August 6, 2018.)*

Councilor Zemen moved for the passage and adoption of introduced Ordinance No. 1683. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1683
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE TO STILL FURTHER AMEND CHAPTER 2.50 OF THE HIGHLAND MUNICIPAL CODE REGARDING THE PUBLIC RECORDS MANAGEMENT, AND ESTABLISH A SPECIAL PURPOSE FUND, ALL PURSUANT TO I.C. 36-1-5 AND I.C. 5-14-3 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit **shall** codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, IC 5-14-3 specifically provides the policy for records access for all public agencies in Indiana;

WHEREAS, The Town Council has previously adopted the provisions of IC 5-14-3, codified as Chapter 2.50 in the Highland Municipal Code;

WHEREAS, The Highland Town Council has determined that the amendment of the Highland Municipal Code regarding its provisions dealing with records management in order to clarify prior provisions and to update existing provisions consistent with current law to be an exercise of local authority consistent with the provisions of IC 5-14-3 and IC 36-1-3 and necessary or desirable in the conduct of its affairs;

WHEREAS, The Highland Town Council has further determined that a technical amendment of the Highland Municipal Code regarding its recently adopted changes to the Public Records Management Chapter would further perfect the municipal code by selectively adopting statutory text; and

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications desirable to further improve and perfect the Code; and

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt a further technical and substantive modification to Chapter 2.50 in order to further improve and perfect the Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Section 2.50.070 of the Highland Municipal Code is hereby renamed and it shall read as follows:

2.50.070 Public records which are Not Disclosable and which are Disclosable.

Section 2. That Subdivision (B) (2) and (B)(5) of Section 2.50.070 of the Highland Municipal Code are hereby repealed and shall be replaced by successor subdivisions, which shall be identified and read as follows:

2.50.070 Public records which are Not Disclosable and which are Disclosable.

(B)(2) Test questions, ~~scoring keys~~, and other examination data used in administering a ~~licensing examination, or~~ an examination for employment, before the examination is given or if it is to be given again.

(B) (5) Personnel files of public employees and files of applicants for public employment, subject to the prohibitions in subsection (A)(12) of this section. **However, when responding to inquiries made regarding the employment of a former employee, disclosure shall be confined to dates of service, department assigned, job title, and rate of pay, unless advised by counsel to the contrary.**

Section 3. That Section 2.50.100 of the Highland Municipal Code shall be amended by *adding a new Subdivision* to be styled as Subdivision J, which shall read as follows:

2.50.100 Fees schedule – Document reproduction – Certification.

(J) Notwithstanding any other provision of this chapter, when providing a duplicate of a computer tape, computer disc, microfilm, law enforcement recording, or similar or analogous record system containing information owned by the public agency or entrusted to it, a public agency may charge a fee or fees, uniform to all purchasers, that does not exceed the sum of the agency's direct cost of supplying the information in that form, provided that fee is approved in this chapter. The following fees are hereby authorized and approved to be collected pursuant to this section:

1. *Media Fees.*

For records provided on a compact disk (CD), or digital video disk (DVD): \$ 1.00

For records provided on a flash drive, thumb drive or similar medium: \$10.00

2. *Electronic law enforcement video documents fee.*

For Law enforcement video recordings captured by an in-car camera or captured by a departmental booking camera will be provided for the sum of the base fee plus the appropriate media fee.

Base Fee: \$120.00

Section 4. That Article II of the Highland Municipal Code, contained in Chapter 9.10, which organizes Sections 9.10.060 through 9.10.240 of the Municipal Code shall be amended by *renaming the Article as follows*:

Article II Statutory Law Enforcement Funds

Section 5. That Article II, contained in Chapter 9.20, which organizes Sections 9.20.060 through 9.20.100, entitled *Safe Neighborhood Grant Fund*, of the Highland Municipal Code shall be repealed and the fiscal officer is authorized to retire the fund pursuant to HMC Section 9.20.100(B);

Section 6. That the Highland Municipal Code be hereby amended by the establishment of a new Article to be contained in Chapter 9.20 which shall organize *Sections 9.20.060 through 9.20.100*, to be entitled **Article II Law Enforcement Video Recording Program Fund**, which shall read as follows:

Article II. Law Enforcement Video Recording Program Fund

9.20.060 Establishment of Law Enforcement Video Recording Program Fund.

(A) There is hereby authorized, created and established a special purpose fund of the Town of Highland, to be called the Law Enforcement Video Recording Program Fund, pursuant to IC [36-1-3](#) et seq;

(B) The Law Enforcement Video Recording Program Fund is dedicated and established for accumulating funds to provide resources to support the lawful purposes of the municipality and public safety purposes as are identified in this Article and IC [5-14-3-8\(l\)](#);

(C) The sources of funding for the Law Enforcement Video Recording Program Fund include the following:

- (1) The user fees charged, collected and authorized by IC [5-14-3-8\(g\)](#) and Section 2.50.100(j) of the Highland Municipal Code, for providing a duplicate of a computer disc, or other storage medium of a law enforcement recording;
- (2) Interest earned from the investment of moneys on deposit to the credit of the fund, provided such investments are conducted pursuant to IC [5-13-9](#) et seq., and Chapter 3.40 of the Highland Municipal Code;
- (3) Gifts, donations and other voluntary contributions from any person to the fund consistent with the lawful purposes and objects of the fund;
- (4) Money derived from state or federal reimbursement grants, matching funds, or contributions for such projects as may be consistent with the objects and purposes of this fund, and the associated grant, provided it is not inconsistent with the guidelines and rules regarding the use and accounting of the federal source proceeds of the grant program;

9.20.070 Purposes, uses and permissible expenditures.

(A) Expenditures from the Law Enforcement Video Recording Program Fund shall only be used for one or more of the following purposes:

- (1) To purchase cameras and other equipment for use in connection with the agency's law enforcement recording program;
- (2) To pay the lawful costs and expenses associated with training concerning law enforcement recording;
- (3) To defray the expenses of storing, producing, and copying law enforcement recordings;

(B) Expenditures from this fund shall be for and in support of the purposes set forth above according to laws of the State of Indiana and if grants require it, the laws of the United States.

9.20.080 Expenditure without appropriation.

The expenditures from the Law Enforcement Video Recording Program Fund are hereby deemed dedicated and appropriated for the purpose for which the fund is specifically dedicated, may be made without appropriation for the purpose for which the fund is specifically established, and shall be disbursed only on approved accounts payable vouchers allowed by the legislative body, all pursuant to IC 5-14-3-8 (l);

9.20.090 Investments authorized.

Money in the Law Enforcement Video Recording Program Fund may be invested provided that the yields from the purchase and sale of any such investments shall be deposited with the fund pursuant to IC [5-13-9](#) and the provisions of the Highland Municipal Code governing investments and deposits.

9.20.100 Preservation and disposition of fund assets.

(A) All unused and unencumbered cash on deposit to the credit of the Law Enforcement Video Recording Program Fund does not revert to the corporation general fund nor to any other fund but shall remain with the Law Enforcement Video Recording Program Fund until the fund is repealed or rescinded by action of the town council;

(B) Fiscal Officer and Cashbook Duties. The clerk-treasurer, as municipal fiscal officer, is hereby authorized to perform such duties and keep such accounts as to fulfill the purpose of the resources of the Law Enforcement Video Recording Program Fund all consistent with the provisions of IC [5-13-5](#) et seq.

Section 7. That this ordinance shall be effective from and after its passage and adoption as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 23rd day of July 2018. Consideration on First Reading was not considered pursuant to I.C. 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 13th day of August 2018, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Resolution No. 2018-34:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Information Communications Technology Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To I.C. 6-1.1-18-6.

Councilor Vassar moved the passage and adoption of Resolution No. 2018-34. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION**

RESOLUTION NO. 2018-34

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the INFORMATION COMMUNICATIONS TECHNOLOGY FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Information Communications Technology Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Information Communications Technology Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

INFORMATION COMMUNICATIONS TECHNOLOGY FUND

Reduce Account:	
#030-0000-32003 IT Telephone	\$ 3,600.00
<i>Total 300 Series Reductions:</i>	\$ 3,600.00
Increase Account:	
#030-0000-43059 New Phone System	\$ 3,600.00
<i>Total 400 Series Increases</i>	\$ 3,600.00
Total of Fund Decreases:	\$ 3,600.00
Total of Fund Increases:	\$ 3,600.00

DULY RESOLVED and ADOPTED this 13th Day of August 2018 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 3. **Works Board Order No. 2018-27:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from WatchGuard Video, 415 Parkway, Allen Texas, In-Car Cameras with Accessories, and Finding it a Special Purchase pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Councilor Kuiper moved the passage and adoption of Works Board Order 2018-27. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2018-27**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from WatchGuard Video, 415 Parkway, Allen Texas, In-Car Cameras with Accessories, and Finding it a Special Purchase pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and,

from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$150,000.00, and an opportunity has arisen which enables the department to purchase additional in-car cameras with accessories;

Whereas, The Metropolitan Police Chief has identified WatchGuard Video of Allen, Texas to be a desirable source vendor for the purchase of the in-car cameras with accessories at a price of \$72,725.00;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) such purchase requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(2) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, for the rationale stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the in-car cameras and accessories will be supported by appropriations in the Public Safety LIT Fund and the Municipal Capital Cumulative Fund (MCCD);

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein.

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Watch Guard Video, 415 E. Exchange Parkway, Allen, Texas for the purchase of several in-car cameras plus accessories as set forth in a quote, which is attached as an exhibit to and made a part of this order, in the estimated amount of \$72,725;

Section 2. That the Works Board hereby finds and determines the following:

- (A) **That Watch Guard Video, 415 E. Exchange Parkway, Allen, Texas is a sole source to meet the police departments reasonable requirements for this purchase; and,**
- (B) **That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration; and,**
- (C) **That for the foregoing rationale, this purchase qualifies as a special purchase pursuant to IC 5-22-10 et seq. and HMC Section 3.05.065 (I);**

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of August 2018 having passed by a vote of 4 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

**Comments or Remarks from the Town Council:
(For the Good of the Order)**

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors; Liaison to the Community Events Commission.*

Councilor Zemen presented a letter of commendation with the signature of the Town Council President and the Town Board of Metropolitan Police Commissioners commending certain persons associated with an “Active Shooter Policy and Drill”.

Amendment of the Agenda. Councilor Zemen moved that the agenda be amended to permit the consideration of approving the letter. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary pursuant to HMC Section 2.05.090(E), there were four affirmatives and no negatives. The motion passed. The agenda was amended to consider the Commendation Letter.

Amended Matter: Commendation Letter for Day Off. Action to approve a Letter of Commendation for exemplary public service leading to the award of a single paid day off for several workers in the Metropolitan Police Department and the Fire Chief. Pursuant to Section 4.13 of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to a letter of commendation regarding several employees and a civilian who researched and drafted policies and procedures for **multi-jurisdictional or multi-departmental responses to active shooter situations**. *The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for the reasons set forth above for the following:*

<i>Fire Chief William R. Timmer, Jr., CFOD</i>	<i>Mr. William Needles</i>
<i>Detective Sergeant John Siple</i>	<i>Detective Corporal Brian Stanley</i>
<i>Corporal Erich Swisher</i>	<i>School Resource Officer, Richard Hoffman</i>

Councilor Vassar moved to approve a letter of commendation for exemplary public service for the persons named, and authorize an additional paid day off, for those persons to whom it may apply. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The letter of commendation was approved.

Councilor Zemen acknowledged the Redevelopment Director who reported on a status of new businesses in the Downtown as well as reporting on the Last Event of Summer, which was a sponsored event from the Main Street Bureau.

- **Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar commended the persons associated with the active shooter policy formulation and the recent drill to test it.

Councilor Vassar acknowledged the Recreation Director, who offered a brief survey of programs in the Parks and Recreation Department.

- **Councilor Steve Wagner:** *Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner was absent owing to a work commitment.

- **Councilor Konnie Kuiper:** *Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who further reported on the active shooter drill recently concluded.

The Fire Chief also noted the annual Fire Department Open House on Saturday, October 2.

- **Councilor President Mark Herak:** *Town Executive • Chair of the Board of Police Pension Trustees • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Town Board of Metropolitan Police Commissioners, Liaison.*

The Town Council President acknowledged the Clerk-Treasurer who reported that the deadline for departments to submit the proposed budgets for FY 2019 was on Friday, August 17.

The Town Council President acknowledged the Public Works Director, who reported on the status of the several road projects underway including the likely completion date of mid-October for the 45th and 5th Intersection Improvement Project and the date of mid-November for the INDOT Indianapolis Boulevard Bridge, south of 45th Avenue and north of Main Street.

Comments from Visitors or Residents:

There were no comments from visitors or residents.

Payment of Accounts Payable Vouchers. There being no comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period July 24, 2018 through August 13, 2018 and the **payroll docket for July 20 2018.** Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll docket listed was ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$303,172.42; Motor Vehicle Highway and Street (MVH) Fund, \$66,836.15; Local Road and Street (LR&S) Fund, \$7,522.25; Law Enforcement Continuing Education and Equipment Fund, \$1,082.15; Corporation Bond and Interest Fund, \$66,162.50; Flexible Spending Agency (FSA) Fund, \$949.22; Insurance Premium Fund, \$162,546.96; Information Communications Technology Fund, \$12,064.10; Civil Donation Fund, \$63.14; Special Events Non Reverting Fund, \$810.10; Cumulative Capital Improvement Fund, \$14,626.33; Municipal Cumulative Capital Development Fund, \$136,688.77; Traffic Violations and Law Enforcement Agency Fund, \$8,327.50; Gaming Revenue Sharing Fund, \$2,168.85; Special Community Crossings Grant Fund, \$234,338.05; and, Economic Development Local Income Tax Fund, \$12,840.00; Total: \$ 1,030,198.49.

Payroll Docket for payday of July 20, 2018:

Council, Boards and Commissions, \$8,167.00; Office of Clerk-Treasurer, \$13,755.33; Building and Inspection Department, \$8,315.21; Metropolitan Police Department, \$123,696.61; Fire Department, \$23,268.70; Public Works Department (Agency), \$70,984.65; and Police Pensions, \$67,795.63. Total Payroll: \$315,983.13.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, August 13, 2018 was adjourned at 7:55 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer